IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

WP(C).No. 1298 of 2006(D)

PETITIONER:

N.RAJAGOPAL, S/O.P.NARAYANAN NAIR,
BABU VIHAR, KOWDIAR, TRIVANDRUM.

BY ADV. SRI.G.S.REGHUNATH

RESPONDENTS:

1. **STATE OF KERALA, REP. BY THE SECRETARY TO GOVT. (REVENUE), SECRETARIAT, TRIVANDRUM.**
2. **THE DISTRICT COLLECTOR, COLLECTORATE, CALICUT.**
3. **THE TAHSILDAR, VADAKARA, KOZHIKODE DISTRICT.**
4. **THE VILLAGE OFFICER, KAVILAMPARA VILLAGE, VADAKARA, KOZHIKODE DISTRICT.**

BY GOVERNMENT PLEADER SRI.MANOJ

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO. 1298/2006

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE TAX RECEIPT NO.30 DT.28.3.89 IN THE NAME OF PETITIONER'S FATHER SRI.P.NARAYANAN NAIR.

EXT.P2:- COPY OF THE PLAN SHOWING THE 80 ACRES OF THE PROPERTY.

EXT.P3:- COPY OF THE JUDGMENT DT.2.12.99 IN WA. 2299/99 OF THIS HONOURABLE COURT.

EXT.P4:- COPY OF THE REPRESENTATION DT.10.10.02 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

EXT.P5:- COPY OF THE PETITION DT.20.10.04 SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.

/TRUE COPY/

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KURIAN JOSEPH, J.

W.P.(C) No.1298 of 2006

Dated 21st March, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayers :-

> (i) "That a writ of mandamus or other order be passed directing the respondents to transfer of registry regarding the 80 acres of property in Sy.No.276/2 of Kavilampara Village detailed in Ext.P2 as per the provisions contained in Transfer of Registry Rules.
>
> (ii) "That a writ of mandamus or other order be passed directing the respondents to consider Exts.P4 and P5 on merits and as per the provisions contained in Transfer of Registry Rules, 1966."

Learned Government Pleader on instruction submits that the land belongs to the Government and hence no orders can be passed. This is refuted by the learned counsel for the petitioner. But it is submitted that no orders have been passed on Exts.P4 and P5. There will be a direction to the second respondent to look into Exts.P4 and P5 with notice to the petitioner and pass appropriate orders thereon in accordance with law, within a period of four months from the date of receipt of a copy of the judgment.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 21st March, 2007.